

RESOLUTION NO. 2011-__

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE, INDIANA
AMENDING THE ZIONSVILLE
MASTER DEVELOPMENT PLAN
PURSUANT TO INDIANA CODE §36-7-4-509**

WHEREAS, Indiana Code §36-7-4-500, *et. seq.* confers upon the Town Council the power to amend the Town of Zionsville's Master Development Plan ("Plan"); and

WHEREAS, on or about October 6, 2003, the Town Council approved and adopted the Master Development Plan for the Town of Zionsville, Indiana ("Town"); and

WHEREAS, the text and maps of the Plan serve to guide and direct future development and growth in the Town and its planning area; and

WHEREAS, the Transportation Master Plan for the Town is included within and a part of the Plan; and

WHEREAS, the Town Council last modified the Plan pursuant to Ordinance No. 2010-01, adopted on January 4, 2010, as part of the Town's reorganization with Eagle and Union Townships, by which the Town amended the Plan, Zoning Ordinance, Subdivision Control Ordinance, Code of Ordinances, and Zoning Map, to address all of these modifications for the reorganization in one legislative act; and

WHEREAS, the Zionsville Plan Commission published notice in *The Zionsville Times Sentinel* on November 24, 2010, of its intent to hold a public hearing on the proposal to amend the Plan, as required by Indiana Code §36-7-4-507; and

WHEREAS, in accordance with Indiana Code §36-7-4-507, the Zionsville Plan Commission gave and published proper notice of and conducted a public hearing on December 15, 2010 to consider a proposal to amend the text and maps of the Plan constituting the Transportation Master Plan portion of the Plan, filed as Petition No. 2010-22-CPA; and

WHEREAS, in accordance with Indiana Code §36-7-4-508, the Zionsville Plan Commission on January 18, 2011 approved the Plan amendment and certified to the Town Council its favorable recommendation for amending the Plan by updating and replacing its text and maps, which certification is set forth on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Town Council has been requested to amend the Plan and fix a time when the same shall take effect.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA, IN ACCORDANCE WITH INDIANA CODE §36-7-4-511, AS FOLLOWS:

Section 1. PLAN AMENDMENT. The Plan is hereby amended by replacing the existing Transportation Master Plan with the Transportation Master Plan, dated November 11, 2010, which Plan text and maps are set forth on Exhibit B attached hereto and made a part hereof.

Section 2. CONSTRUCTION OF CLAUSE HEADINGS. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or expand the scope or intent of the clause to which they appertain.

Section 3. CONFLICTS WITH THIS RESOLUTION. If any part of this Resolution shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Resolution.

Section 4. EFFECTIVE DATE. This Resolution shall be in full force and effect from and after the date hereof.

Section 5. FILING WITH THE BOONE COUNTY RECORDER. The Clerk-Treasurer of the Town is hereby authorized and directed to file this Resolution with the Boone County Recorder, pursuant to Indiana Code §36-7-4-509(b).

DULY PASSED AND ADOPTED this _____ day of _____, 2011, by the Town Council of the Town of Zionsville, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

**TOWN OF ZIONSVILLE, INDIANA
BY ITS TOWN COUNCIL**

Matthew M. Price, President

For

Opposed

Timothy R. Haak

For

Opposed

Welton W. Harris II

For

Opposed

Steven W. Mundy

For

Opposed

Jeffrey L. Papa

For

Opposed

Valerie R. Swack

For

Opposed

Candace L. Ulmer

For

Opposed

ATTEST:

John J. Yeo, Zionsville Clerk-Treasurer

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